

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

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|-------------------------------------------|---|------------------|
| NATIONAL LABOR RELATIONS BOARD | : | |
| | : | No. |
| Petitioner | : | |
| v. | : | Board Case Nos.: |
| | : | 08-CA-162121 |
| NORTHEAST OHIO COLLEGE PREPARATORY | : | 08-CA-164606 |
| SCHOOL AND I CAN SCHOOLS, JOINT EMPLOYERS | : | 08-CA-168874 |
| | : | |
| Respondents | : | |

JUDGMENT

THIS CAUSE was submitted upon the application of the National Labor Relations Board for the enforcement of a certain order on consent issued by it against Respondents, Northeast Ohio College Preparatory School and I CAN Schools, joint employers, its officers, agents, successors, and assigns, on September 13, 2016, in Board Case Nos. 08-CA-162121, 08-CA-164606 and 08-CA-168874; and upon the record in that proceeding, certified and filed in this Court enforcing the order.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by the United States Court of Appeals for the Sixth Circuit that the order of the National Labor Relations Board be, and the same is hereby enforced; and that the Respondents, Northeast Ohio College Preparatory School and I CAN Schools, joint employers, its officers, agents, successors, and assigns, abide by and perform the directions of the Board set forth in its order. (See Attached Order and Appendix)

ENTERED BY ORDER OF THE COURT

Clerk

NATIONAL LABOR RELATIONS BOARD

v.

NORTHEAST OHIO COLLEGE PREPARATORY SCHOOL
AND I CAN SCHOOLS, JOINT EMPLOYERS

ORDER

Northeast Ohio College Preparatory School (NEO) and I CAN Schools (ICAN), Cleveland, Ohio, their officers, agents, successors, and assigns shall

1. Cease and desist from
 - (a) Interfering with, restraining, or coercing employees in the exercise of rights guaranteed by Section 7 of the National Labor Relations Act.
 - (b) Prohibiting employees from talking about their employment agreements, whether they received an employment agreement, and their terms and conditions of work.
 - (c) Watching or making it appear to employees that the Respondents are watching out for their union activities.
 - (d) Coercively increasing scrutiny of employees performing their work because of their union sympathies and activities.
 - (e) In any other manner interfering with, restraining, or coercing employees in the exercise of their rights to self-organization, to form a labor organization, to join or assist the Union.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) Within 14 days from the date of the Board's Order, hold a mandatory meeting or meetings, on working time when the Respondents would customarily hold meetings, scheduled to ensure the widest possible attendance by NEO employees, and have Executive Director of School Accountability Heather Stevens read the Order in English in a Board

agent's presence, or alternatively, have a Board agent read the Order in English in the presence of Stevens.

- (b) Within 14 days after service by the Region, post at the NEO Upper building copies of the attached notice marked "Appendix A." Copies of the notice, on forms provided by the Region, after being signed by the Respondents' authorized representatives, shall be posted by the Respondents and maintained for 60 consecutive days in conspicuous places where notices to employees are customarily posted. In addition to physical posting of paper notices, the Respondents shall distribute notices electronically, by email, to all employees who work at the NEO facility. The Respondents will take reasonable steps to ensure that the notices are not altered, defaced or covered by any other material.
- (c) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondents have taken to comply, including the locations to which the attached notice marked "Appendix A" was emailed.

APPENDIX A

NOTICE TO EMPLOYEES

**Posted by Order of the
National Labor Relations Board
An Agency of the United States Government**

PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER
AND A CONSENT JUDGMENT OF ANY APPROPRIATE
UNITED STATES COURT OF APPEALS

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose representatives to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT tell you that you cannot discuss your terms and conditions of employment with other employees.

WE WILL NOT prohibit you from sharing any individual employment agreement that you received with other employees or prohibit you from discussing any terms and conditions of employment contained in these agreements with other employees.

WE WILL NOT watch or make it appear to you that we are watching you in order to discover your union and/or protected activities.

WE WILL NOT coercively increase scrutiny of employees performing their work because of their support for the Cleveland Alliance of Charter Teachers and Staff affiliated with the Ohio Federation of Teachers, American Federation of Teachers, AFL-CIO, or for any other union and/or protected activities.

WE WILL NOT, in any other manner, interfere with, restrain, or coerce you in your exercise of your rights under Section 7 of the Act.

**NORTHEAST OHIO COLLEGE PREPARATORY SCHOOL
AND I CAN SCHOOLS, JOINT EMPLOYERS**

The Board's decision can be found at www.nlrb.gov/case/08-CA-162121 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

